

REMARKS

By this amendment, Applicant has canceled claim 6 without prejudice, and added new claims 28-36. As a result, claims 1-5, 7-9, 21-23, and 28-36 are pending in this application. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1 and 4-6 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,121,514 (Nickaloff); claims 21-23 are allowed; and claims 2, 3, and 7-9 are objected to as being dependent upon a rejected base claim. Applicants thank the Office for noticing the allowable subject matter in claims 2, 3, 7-9, and 21-23. Applicants have herein canceled claim 6, without prejudice, and respectfully submit that claims 1 and 4-5 are allowable in view of the following remarks.

With respect to claim 1, Applicants respectfully submit that Nickaloff is not related to the claimed invention. In particular, Nickaloff comprises a "machine for collecting shredding and compacting metal cans." Col. 1, lines 5-7. In sharp contrast, Applicants' claimed invention comprises an "apparatus for orienting a part... [which has] been detached from a web having a plurality of parts." Applicants respectfully submit that orienting parts that have been detached from a web and collecting metal cans are unrelated. For example, the cans in Nickaloff are not oriented to any particular orientation as a result of Nickaloff's machine, nor are they detached from a web. As a result, Applicants respectfully request withdrawal of this rejection.

Even if, *arguendo*, Nickaloff is related to Applicants' claimed invention, Applicants respectfully submit that Nickaloff fails to disclose all of the claimed features as required by 35 U.S.C. § 102(b). In particular, Nickaloff fails to disclose "a third opening that is larger than the second opening" as in claim 1. The Office apparently cites reference numeral 19 as allegedly disclosing this portion of the claimed invention. However, Applicants note that reference 19 refers to "a downward slanted preferably metal or metal-lined plastic chute," (Col. 2, lines 62-63) not an opening. Further, Applicants are unable to find any portion of Nickaloff that discusses and/or shows the relative sizes of any openings formed by a comparable interior sloped side. As a result, if the Office maintains this rejection, Applicants respectfully request clarification from the Office as to the features of Nickaloff that allegedly disclose the claimed invention.

Additionally, Applicants respectfully submit that the cans in Nickaloff would not "exit the third opening in a substantially vertical orientation" as in the claimed invention. Nickaloff apparently lacks any discussion with respect to the orientation of cans as they are processed. Further, many cans, such as aluminum soda cans and the like, are inherently unstable in a vertical orientation, and would likely quickly fall to a horizontal orientation during processing by Nickaloff. This does not impact the functionality of Nickaloff's machine, since can orientation is not relevant to its processing. In sharp contrast, the express purpose of Applicants' claimed invention is to obtain a substantially vertical orientation of a part. As a result, Applicants respectfully submit that Nickaloff fails to disclose all of the features of claim 1, and Applicants respectfully request withdrawal of this rejection.

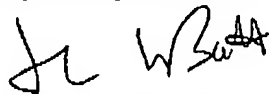
By this amendment, Applicants have also presented new claims 28-36. With respect to claim 28, Applicants respectfully submit that it is allowable for the above-stated reasons as well

as its own additional features. In particular, claim 28 states that the edge along which each of the three openings is aligned is opposite the interior sloped side. Support for this amendment is clearly found, *inter alia*, in FIG. 1 and the corresponding discussion. Applicants respectfully submit that this aspect of the claimed invention is absent from Nickaloff and the other cited references.

With respect to the newly presented claims 29-36, Applicants respectfully submit that the cited art fails to disclose, *inter alia*, an interior sloped side that partially obstructs a portion of a die opening in order to align the parts. Support for this amendment is clearly found, *inter alia*, in FIG. 1 and the corresponding discussion. Such a configuration is beneficial in that the part is allowed to pass unobstructed for a period before being oriented to a desired orientation. This results in a lower probability that the part may get caught when being oriented, thereby adversely impacting the operation of the apparatus.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



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Dated: June 1, 2004